

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

BARRY WINFRED RITCHIE,)
)
)
Plaintiff,) No. 1:06-cv-232
v.) *Edgar*
)
STATE OF TENNESSEE,)
)
Respondent.)

MEMORANDUM

Petitioner Barry Winfred Ritchie (“Ritchie”) filed a document entitled “Petition for Removal to Federal Court” [Court File No. 1]. The Court concluded the document was not a valid removal petition but that Ritchie was attempting to file a habeas petition under 28 U.S.C. § 2254. Thus, the Court directed Ritchie to file an *in forma pauperis* application and a § 2254 petition within thirty days from the date of the October 24, 2006 Order.

Instead, Ritchie has filed a notice of appeal and an application to proceed *in forma pauperis*. Ritchie was notified that failure to comply with the Court’s order would result in the case being dismissed for want of prosecution.

Therefore, this action will be **DISMISSED** *sua sponte*, for failure to comply with the orders of this Court. FED. R. CIV. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

An appropriate judgment will enter.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE